

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN**

GARY SUOJA, Individually and as Special)	
Administrator of the Estate of OSWALD)	
SUOJA, Deceased,)	
)	
Plaintiff,)	Case No. 99-cv-475-bbc
)	
v.)	
)	
Owens-Illinois, Inc.,)	
)	
Defendant.)	

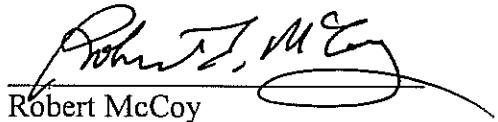
Declaration of Robert McCoy – 1/29/16

Robert McCoy declares as follows:

1. I am lead counsel for the plaintiff in this action and make this declaration relating to the unavailability of certain witnesses for trial
2. Lawrence Zimmer is deceased. (Ex. 1)
3. Harold Haase is deceased according to an internal case memorandum of CVLO.
4. Using the telephone information in the CVLO witness database, I attempted several times to contact George Schlub by telephone several months before the scheduled trial in this case. No one answered the phone and there was no answering system.
5. I then directed a people finder search to be conducted through the internet. No new information about the telephone or address of Mr. Schlub was discovered. If still alive, Mr. Scllub would be 83 years old.
6. I then sent a letter to Mr. Schlub at his last known address as stated in his 2012 deposition which is 7413 Wallingford Way Rockford, IL 61107. The letter was sent on October 29, 2015 to inquire about his availability to testify at trial in this case.
7. Mr. Schlub did not respond to the letter.
8. I personally went to Mr. Schlub's last known residence at 7413 Wallingford Way Rockford, IL 61107. The townhouse unit had a "for sale" sign in front. I looked through the windows and the interior was completely empty of furnishings and other possessions.
9. CVLO was thus unable to locate Mr. Schlub and procure his attendance for trial.

Under penalty of perjury, I declare the statements above are true and correct .

Dated: January 29, 2016


Robert McCoy